

**NO. 02-18-00138-CR**

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**IN THE COURT OF APPEALS  
FOR THE SECOND DISTRICT OF TEXAS  
AT FORT WORTH**

FILED IN  
2<sup>nd</sup> COURT OF APPEALS  
FORT WORTH, TEXAS  
3/23/2020 3:11:40 PM

**DEBRA SPISAK**  
Clerk

**CRYSTAL MASON,**

**Appellant,**

**V.**

**STATE OF TEXAS,**

**Appellee.**

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**On appeal from 432<sup>nd</sup> District Court  
Of Tarrant County, Texas  
In Cause No. 148710D  
The Honorable Ruben Gonzalez, Jr. Presiding**

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**APPELLANT'S FIRST UNOPPOSED MOTION FOR EXTENSION  
OF TIME TO FILE MOTION FOR EN BANC RECONSIDERATION**

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TO THE HONORABLE JUSTICES OF THE SECOND COURT OF APPEALS:

Pursuant to Texas Rule of Appellate Procedure 10.5 (b), Crystal Mason, Appellant, respectfully requests that this Court grant a 28-day extension of time to file her Motion for En Banc Reconsideration, making her motion due May 1, 2020. In support of this Motion, Ms. Mason shows the Court the following:

1. On March 19, 2020, the Court issued its opinion in this case, affirming the trial court's judgment.

2. Ms. Mason intends to file a Motion for En Banc Reconsideration.

Under Texas Rule of Appellate Procedure 49.7, Ms. Mason's motion is due April 3, 2020.

3. Ms. Mason seeks a 28-day extension to file her Motion for En Banc Reconsideration on or before May 1, 2020.

4. This extension is necessitated by the press of other matters, including obligations by Counsel for Ms. Mason in the following other cases: *United States of America v. 5.840 Acres of Land*, 7:20-CV-009 (S.D. Tex.) (answers due March 23, 2020 and briefs due April 3, 2020); *Sierra Club & Southern Border Communities Coalition v. Trump et al.*, 4:20-cv-1494 (N.D. Cal.) (Motion for Summary Judgment due March 30, 2020); *City of El Cenizo, Texas, et al v. State of Texas, et al*, 5:17-cv-00404 (W.D. Tex.) (response to Motion to Dismiss due March 30, 2020); and *Stringer et al. v. Hughs et al.*, 5:20-cv-00046-OLG (W.D. Tex.) (response to Motion to Dismiss due March 30, 2020).

5. In addition to these obligations, the COVID-19 outbreak has created significant operational difficulties for counsel including the closure of the counsels' offices, the technological and procedural hurdles of transitioning to work from home, and the closure of schools for counsel's children, necessitating counsel find appropriate child-care solutions.

6. Appellee's counsel is unopposed to this request.

7. This is Appellant's first request for an extension of time to file their Motion for En Banc Reconsideration.

8. The Motion is not being filed for purposes of delay, but only so that justice may be done and that a Motion for En Banc Reconsideration can be prepared that will assist the Court.

9. Ms. Mason is out on bond pending appeal.

### **PRAYER**

For the foregoing reasons, Ms. Mason respectfully asks the Court to grant this Unopposed Motion and extend the deadline for her Motion for En Banc Reconsideration by 28 days, to and including Friday, May 1, 2020.

Respectfully submitted,

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## CERTIFICATE OF CONFERENCE

I certify that I have conferred with the office of Assistant District Attorney Helena Faulkner as counsel for Appellee State of Texas via telephone on or before the date of the filemark appended hereto. The State is **unopposed** to the Court granting the motion.

/s/ Thomas Buser-Clancy  
Thomas Buser-Clancy

## CERTIFICATE OF SERVICE

In accordance with the Texas Rules of Appellate Procedure, I hereby certify that a true and correct copy of this Motion has been served on the following counsel of record via e-service on this the March 23, 2020:

### *Counsel for Appellee State of Texas:*

Sharen Wilson, *Criminal District Attorney*

Joseph W. Spence, *Assistant Criminal District Attorney, Chief, Post-conviction*

Helena F. Faulkner, *Assistant Criminal District Attorney*

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/s/ Thomas Buser-Clancy  
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